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In re Application of :
Michael Seul :
Serial No.: 10/645,426 : PETITION TO MAKE SPECIAL
Filed: June 21, 2003 :
Attorney Docket No.: LEAPS-C11 :

This is a decision on the petition filed on September 18, 2006 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

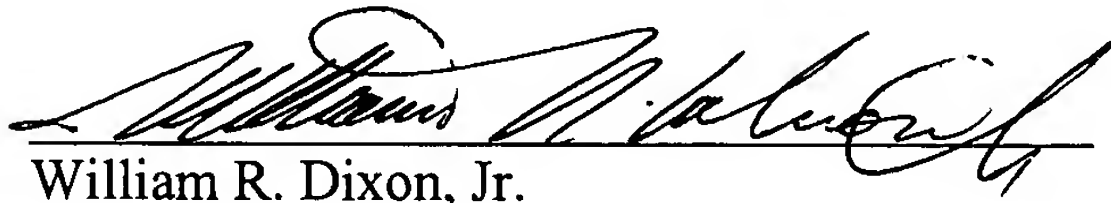
To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a **newly** filed non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was not a new application at the time the petition was filed and was not filed electronically.

For the above-stated reasons, the petition is denied. The application has been forwarded to the Board of Patent Appeals and Interferences or consideration of the Appeal.

Any inquiry regarding this decision should be directed to William R. Dixon, Jr., Special Program Examiner, at (571) 272-0519.

A handwritten signature in black ink, appearing to read "William R. Dixon, Jr.", written over a horizontal line.

William R. Dixon, Jr.
Special Program Examiner
Technology Center 5000